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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,682	02/01/2001	Motoshi Asano	SON-2024	3648

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EXAMINER

FULTS, RICHARD C

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 12/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/774,682

Applicant(s)

ASANO ET AL.

Examiner

Richard Fults

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. An amendment was received which added claims 7-8. Accordingly claims 1-8 will be examined on their merits.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being anticipated by Nonaka et al. (GB 2,303,956) (hereinafter Nonaka), applicant disclosed prior art.

Nonaka teaches (see at least the abstract, Figures 1-13, and pages 1-53, but in particular the locations cited below) claims:

- I. An electronic-money settlement method comprising the steps of

recording, in a portable electronic device and a management center, information on a deposited amount of money, said information being stored in said portable electronic device in the form of electronic money representing a monetary value (1); and recording, in said portable electronic device and said management center, information on a loan made to the user of said portable electronic device up to a predetermined limit when a payment amount exceeds the remaining amount of the

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electronic money stored in said portable electronic device (Figure 2a and 2b and 5 and 10 show the format of the data storage in the IC, Figure 13 shows the functions within the IC card and communication with management center, and Figures 3,4, 6, 8, 11, 12a and b show the steps involved in Nonaka, including the updating, storage, and communication of information).

2. An electronic-money settlement method according to claim 1, wherein said management

center calculates interest on the loan at a predetermined frequency, and uses the calculation result to update said information on the loan (S224).

3. An electronic-money settlement method according to claim 1, wherein, when the loan exceeds a predetermined limit, said management center prohibits the use of electronic money by said portable electronic device (S2111).

4. An electronic-money settlement method according to claim 1, wherein said management center updates a record of the remaining amount of the electronic money stored in said portable electronic device when being instructed to store electronic money in said portable electronic device, and updates the remaining amount of the electronic money stored in said portable electronic device when being accessed by said portable electronic device so that priority is given to liquidation of the loan (S226).

5. An information processing apparatus that subtracts a used amount from a monetary value stored in a portable electronic device in the form of electronic money so that the remaining amount of the electronic money in the portable electronic device is updated, said information processing apparatus comprising: first means for notifying a

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management center of the updated amount; and second means in which, when a payment amount exceeds the remaining amount of the electronic money stored in said portable electronic device, said second means records information on a loan made to the user of said portable electronic device in said portable electronic device, and notifies said management center of said information (pages 4-13).

6. An information processing apparatus according to claim 5, further comprising third means for prohibiting the use of the electronic money by said portable electronic device when being notified that said loan exceeds a predetermined limit (S227).

7. Subtracting an amount from a monetary value stored in a portable electronic device in accordance with a transaction between said portable electronic device and an information processing apparatus, recording information on a loan to the user of said portable electronic device up to a predetermined limit when a payment amount exceed(s) the remaining amount of the monetary value in said portable device by communicating with a management center through information processing apparatus said predetermined loan limit being managed by said management center, recording a transaction history and said loan information in said information processing apparatus, and sending said transaction history and said loan information to said management center (Figure 6, S307-S314, and page 22).

8. Means for notifying a management center of the updated amount, means for recording information on a loan to the user of said portable electronic device up to a predefined limit when a payment amount exceeds the remaining amount of the monetary value in said portable electronic device by communicating with a management center, said predetermined loan limit being managed by said

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management center, said transaction history being recorded in said recording means, and means for sending said transaction history and said loan information to said management center (Figures 6-8). Nonaka uses different terminology to describe the data maintenance functions, but does teach the same functions.

3. The processes of maintaining records of values used, payments made, loan amounts extended, balances of values and loan amounts, both within the IC card and at the management center, and communicating/displaying all of this information to both the management center and the user are all old and well known for portable electronic devices used for financial transactions. It would have been obvious to one skilled in the art at the time of the invention to have been fully aware of these standard processes, and to have utilized that knowledge to have made and used this invention prior to its application date.

4. Response to Applicant's Arguments

Nonaka does not teach the same terminology for some of the more obvious mechanical steps normally used for these standard record keeping and communication processes, but he does teach the same functions. See specifically the abstract for the examples of functions that the applicant argues do not exist in Nonaka. Relative to the issue about the steps described for figure 1, that figure has 5 blocks of functions labeled 1-5, which contain functions 11-14, 21-26, 31-38, and 51-54. Figure 2a and 2b and 5 and 10 show the format of the data storage in the IC, Figure 13 shows the functions within the IC card and communication with management center, and Figures 3,4, 6, 8, 11, 12a and b show the steps involved in Nonaka, including the updating, storage, and communication of information. New

claims 7-8 are both taught by Nonaka. If there are further questions about what Nonaka teaches, please read the entire reference.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Fults whose telephone number is 703-305-5416. The examiner can normally be reached on weekdays from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough, can be reached on (703)-305-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RCF  11/29/2004


FRANTZY POINVIL
PRIMARY EXAMINER
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